

**Date:** April 2, 2004 (Revised April 14, 2004)

**To:** Court of Appeals Judges, Director of State Courts, Staff Counsel, Clerk's Office Staff

**From:** Cornelia G. Clark, Clerk

**Re:** COURT OF APPEALS MONTHLY STATISTICAL REPORT - MARCH

Cumulative: January 1, 2004 through March 31, 2004

APPELLATE DISTRICT	I	II	III	IV	TOTAL
<b>Cases Carried Over</b>					
<b><u>from December 31</u></b>	<u>631</u>	<u>506</u>	<u>339</u>	<u>522</u>	<u>1998</u>
Civil	248	276	197	322	1043
Criminal	383	230	142	200	955
<b><u>Cases Filed</u></b>	<u>278</u>	<u>218</u>	<u>200</u>	<u>218</u>	<u>914</u>
Civil	137	112	101	131	481
Criminal	141	106	99	87	433
<b><u>Cases Docketed</u></b>	<u>909</u>	<u>724</u>	<u>539</u>	<u>740</u>	<u>2912</u>
Civil	385	388	298	453	1524
Criminal	524	336	241	287	1388
<b><u>Cases Reinstated</u></b>	<u>0</u>	<u>4</u>	<u>2</u>	<u>8</u>	<u>14</u>
Civil	0	3	1	6	10
Criminal	0	1	1	2	4
<b><u>Cases Terminated*</u></b>	<u>181</u>	<u>226</u>	<u>155</u>	<u>209</u>	<u>771</u>
Opinion-Civil	34	44	42	57	177
Opinion-Criminal	17	33	14	26	90
<b>Sub-Total</b>	51	77	56	83	267
Sum.Disp.-Civil	20	21	17	7	65
Sum.Disp.-Criminal	43	53	25	32	153
<b>Sub-Total</b>	63	74	42	39	218
Memo Opinion-Civil	37	36	25	54	152
Memo Opinion-Criminal	19	19	17	18	73
<b>Sub-Total</b>	56	55	42	71	224
Other-Civil	8	13	11	12	44
Other-Criminal	3	7	4	3	17
<b>Sub-Total</b>	11	20	15	15	61
<b><u>Correction for Error</u></b>	<u>0</u>	<u>0</u>	<u>0</u>	<u>-1</u>	<u>-1</u>
Civil	+2	+2	0	+2	+6
Criminal	-2	-2	0	-3	-7
<b><u>CASES PENDING</u></b>	<u>717</u>	<u>508</u>	<u>388</u>	<u>541</u>	<u>2154</u>
CIVIL	290	280	204	328	1102
CRIMINAL	427	228	184	213	1052

\*Terminations are adjusted to reflect dispositions by panels assigned to cases filed in other districts and cover the "number of cases" terminated.

## CASE ACTIVITY DURING MONTH OF MARCH:

APPELLATE DISTRICT	I	II	III	IV	TOTAL
<b>Cases Filed</b>	<u>89</u>	<u>68</u>	<u>66</u>	<u>65</u>	<u>288</u>
Civil	47	33	32	39	151
Criminal	42	35	34	26	137
<b>Cases Terminated</b>	<u>53</u>	<u>87</u>	<u>59</u>	<u>71</u>	<u>270</u>
Opinion-Civil	11	13	16	22	62
Opinion-Criminal	6	19	6	9	40
Sum.Disp.-Civil	8	4	5	3	20
Sum.Disp.-Criminal	10	28	9	8	55
Memo Opinion-Civil	10	11	11	14	46
Memo Opinion-Crim.	4	6	6	12	28
Other-Civil	3	5	5	2	15
Other-Criminal	1	1	1	1	4
<b>Cases Reinstated</b>	<u>0</u>	<u>1</u>	<u>1</u>	<u>3</u>	<u>5</u>
Civil	0	0	1	2	3
Criminal	0	1	0	1	2
<b>Correction for Error</b>	<u>0</u>	<u>0</u>	<u>0</u>	<u>-1</u>	<u>-1</u>
Civil	+1	0	0	0	+1
Criminal	-1	0	0	-1	-2
<b>Notices of Appeal Filed:</b>	<b>I</b>	<b>II</b>	<b>III</b>	<b>IV</b>	<b>TOTAL</b>
<b>One-Judge Appeals:</b>	<u>11</u>	<u>6</u>	<u>12</u>	<u>13</u>	<u>42</u>
Civil	9	3	4	9	25
Criminal	2	3	8	4	17
<b>Three-Judge Appeals:</b>	<u>73</u>	<u>53</u>	<u>43</u>	<u>43</u>	<u>212</u>
Civil	33	24	19	22	98
Criminal	40	29	24	21	114
<b>Sup. Writs Filed:</b>	4	4	1	3	12
<b>Sup. Writs Terminated:</b>	<u>2</u>	<u>5</u>	<u>1</u>	<u>7</u>	<u>15</u>
Granted	0	0	0	1	1
Denied, Dism'd, Other	2	5	1	6	14
<b>Sup. Writs Pending:</b>	10	7	2	10	29
<b>Leave to Appeal Filed:</b>	0	5	10	6	21
<b>Leave to Appeal Term'd:</b>	<u>4</u>	<u>2</u>	<u>8</u>	<u>9</u>	<u>23</u>
Granted	1	0	2	4	7
Denied, Dism'd, Other	3	2	6	5	16
<b>Leave to Appeal Pending:</b>	2	4	9	3	18

## ADDITIONAL MATTERS DURING MONTH OF MARCH:

APPELLATE DISTRICT	I	II	III	IV	TOTAL
<b>Motions Filed:</b>					
Numbered Cases	148	109	71	143	471
Extensions of Time	43	68	44	50	205
Unnumbered Cases	<u>112</u>	<u>55</u>	<u>38</u>	<u>46</u>	<u>251</u>
TOTAL MOTIONS FILED	303	232	153	239	927
<b>Motions Terminated:</b>					
Numbered Cases	143	94	78	138	453
Extensions of Time	32	64	39	55	190
Unnumbered Cases	<u>98</u>	<u>55</u>	<u>38</u>	<u>49</u>	<u>240</u>
TOTAL MOTIONS TERM'D	273	213	155	242	883
<b>Motions Pending:</b>					
Numbered Cases	95	49	28	79	251
Extensions of Time	15	4	9	1	29
Unnumbered Cases	<u>43</u>	<u>9</u>	<u>4</u>	<u>11</u>	<u>67</u>
TOTAL MOTIONS PENDING	153	62	41	91	347
<b>Opins. Circulating</b>	18	11	11	10	50
<b>Opins. Approved but not Released</b>	0	1	0	15	16
	<b>I</b>	<b>II</b>	<b>III</b>	<b>IV</b>	<b>TOTAL</b>
<b>Pet. for Bypass Filed</b>	<u>1</u>	<u>0</u>	<u>1</u>	<u>0</u>	<u>2</u>
Civil	0	0	1	0	1
Criminal	1	0	0	0	1
<b>Certifications Filed</b>	<u>0</u>	<u>0</u>	<u>1</u>	<u>4</u>	<u>5</u>
Civil	0	0	1	3	4
Criminal	0	0	0	1	1
<b>Pet. for Review Filed</b>	<u>29</u>	<u>24</u>	<u>13</u>	<u>26</u>	<u>92</u>
Civil	15	13	11	19	58
Criminal	14	11	2	7	34

## Status of Pending Cases as of March 31, 2004:

APPELLATE DISTRICT	I	II	III	IV	TOTAL
Awaiting Record	<u>197</u>	<u>84</u>	<u>75</u>	<u>65</u>	<u>421</u>
Civil	74	54	44	43	215
Criminal	123	30	31	22	206
Applt. Brief Due	<u>59</u>	<u>67</u>	<u>51</u>	<u>64</u>	<u>241</u>
Civil	32	37	23	49	141
Criminal	27	30	28	15	100
Applt. Brief Overdue	<u>1</u>	<u>4</u>	<u>4</u>	<u>0</u>	<u>9</u>
Civil	1	3	3	0	7
Criminal	0	1	1	0	2
Respt. Brief Due	<u>35</u>	<u>40</u>	<u>27</u>	<u>48</u>	<u>150</u>
Civil	18	23	17	30	88
Criminal	17	17	10	18	62
Respt. Brief Overdue	<u>0</u>	<u>1</u>	<u>0</u>	<u>0</u>	<u>1</u>
Civil	0	1	0	0	1
Criminal	0	0	0	0	0
Other Brief Due	<u>0</u>	<u>2</u>	<u>4</u>	<u>0</u>	<u>6</u>
Civil	0	2	4	0	6
Criminal	0	0	0	0	0
Reply Brief Due	<u>15</u>	<u>21</u>	<u>13</u>	<u>18</u>	<u>67</u>
Civil	7	11	5	13	36
Criminal	8	10	8	5	31
Cases W/Motions or Writs Pending	<u>98</u>	<u>61</u>	<u>37</u>	<u>60</u>	<u>256</u>
Civil	64	32	26	40	162
Criminal	34	29	11	20	94
Ready for Screening	<u>78</u>	<u>98</u>	<u>39</u>	<u>61</u>	<u>276</u>
Civil	36	67	29	42	174
Criminal	42	31	10	19	102
Assigned for Oral Arg.	<u>2</u>	<u>1</u>	<u>0</u>	<u>3</u>	<u>6</u>
Civil	2	1	0	3	6
Criminal	0	0	0	0	0
Under Submission	<u>189</u>	<u>71</u>	<u>86</u>	<u>169</u>	<u>515</u>
Civil	49	33	39	92	213
Civil/FT	0	1	2	5	8
Criminal	140	37	45	72	294
Criminal/FT	0	0	0	0	0
No Merit & Awaiting NM	<u>39</u>	<u>44</u>	<u>39</u>	<u>38</u>	<u>160</u>
Civil	5	3	4	1	13
Criminal	34	41	35	37	147
HOLD Status	<u>4</u>	<u>14</u>	<u>13</u>	<u>15</u>	<u>46</u>
Civil	2	12	8	10	32
Criminal	2	2	5	5	14
<b>TOTAL CASES PENDING</b>	<u>717</u>	<u>508</u>	<u>388</u>	<u>541</u>	<u>2154</u>
Civil	290	280	204	328	1102
Criminal	427	228	184	213	1052

**Wisconsin Court of Appeals**  
**Explanation of Termination Categories**

**OPINIONS**

Includes three-judge and one-judge authored opinions and per curiam opinions. All per curiam opinions are assigned to a supervising judge who has the responsibility for approval of the final draft of the opinion after circulation to the panel.

**SUMMARY DISPOSITIONS**

Includes opinions issued in the form of a court order after the court has reviewed the briefs and record, and following a screening and decision conference(s). All dispositions in this category are assigned to a supervising judge who is responsible for approval of the final draft of the opinion after circulation to the panel.

**MEMO OPINIONS**

Includes opinions issued in the form of a court order prior to a screening and decision conference(s). Examples of memo opinions are: jurisdictional terminations; petitions for writs denied or granted if the order terminates the action; petitions for leave to appeal that are denied; summary disposition of unscreened cases – usually upon a motion; motions to dismiss on the merits that are granted; transfers to circuit court; any other miscellaneous termination of an appeal in which judicial time is expended and a full explication of reasoning is set forth.

**OTHER**

Includes miscellaneous orders terminating cases that are issued by the Clerk's Office. Examples of miscellaneous orders are: voluntary dismissals; stipulations to dismiss; failure of an appellant to submit filing fee information.

**Please Note:** Case filings are counted according to the district of origin and tracked through the appellate process in the filing district. Terminations, however, are counted in the district that issued the opinion. For example, a case filed in District IV, but transferred to District III, will be counted as a pending case in District IV until the opinion is issued when adjustments will be made to reflect the termination by District III. In this example, the District III termination will result in one less case pending in District IV.

Page 2 of the Monthly Statistical Report reflects how many cases terminated by a particular district are transfer cases. Page 4 of the report reflects the current status of transfer cases.